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Commissioner for Patents Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application

Attorney Docket No. 82001-0311 Application No. 09/876,218

and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP** 

Dated: September 14, 2001

**HOGAN & HARTSON LLP** 

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT				ATTY. DOCKET NO. 82901-0314		APPLICATION NO. 09/876,218			
				APPLICANT R bert PHILLIPS, et al.					
P E (Use several sheets if necessary)				FILING DATE June 8, 2001		GROUP 2161			
SEP 1 8 2000 EXEMPLE RADIO	TOFFICE .		U.S. F	PATENT DOCUMENTS					
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INITIAL		NUMBER	DATE	PATENTEE	CLASS	SUBCLASS	APPROF	RIATE	
	AA	5,797,127	08-18-98	WALKER, et al.	705	5			
	вв	5,918,209	06-29-99	CAMPBELL, et al.	705	5			
	СС	6,061,691	05-09-00	FOX	707	104			
	DD	6,078,893	06-20-00	OUIMET et al.	705	10			
	EE	6,182,048 B1	01-30-01	OSBORN et al.	705	4			
		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT		
							Yes	No	
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								-	
		OTHER DOC	UMENTS (Includ	ling Author, Title, Date	, Pertinent Page	es, Etc.)			
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EXAMINER					DATE CONSI	DATE CONSIDERED			
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